

**ELY DISTRICT  
CATEGORICAL EXCLUSION (CX) REVIEW  
AND APPROVAL**

Team Leader Kyle Teel Date February 3, 2006

Name of Proposed Action Clover Mountain Ponderosa Restoration Project

CX Number: CX-NV-040-06-09 Project or Serial Number: JD65

**CATEGORICAL EXCLUSION REFERENCE**

516 Departmental Manual 1.12—Hazardous fuels reduction activities using prescribed fire not to exceed 4,500 acres, and mechanical methods for crushing, piling, thinning, pruning, cutting, chipping, mulching, and mowing not to exceed 1,000 acres. Such activities shall be limited to areas (1) in wildland-urban interface and (2) Condition Classes 2 or 3 in Fire Regime Groups I, II, or III, outside of the wildland-urban interface; Shall be identified through a collaborative framework as described in “A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-year Comprehensive Strategy Implementation Plan;” Shall be conducted consistent with agency and Departmental procedures and applicable land and resource management plans; Shall not be conducted in wilderness areas or impair the suitability of wilderness study areas for preservation as wilderness; Shall not include the use of herbicides or pesticides or the construction of new permanent roads or other new permanent infrastructure; and may include the sale of vegetative materials if the primary purpose of the activity is hazardous fuels reduction.

**DESCRIPTION OF PROPOSED ACTION AND STANDARD OPERATING PROCEDURES**

The proposed action is to improve the ecological condition of 800 to 1,000 acres of ponderosa pine community within the Clover Mountains through the use of mechanical, manual, and prescribed fire methods. The ponderosa pine community is in Fire Regime Group II and Fire Regime Condition Class 2.

The proposed project is located approximately 10 to 20 miles to the south and southeast of Caliente, NV (Map 1). Ponderosa pine communities within the Clover Mountains consist of small stands in a stringer type arrangement from Sawmill Canyon east to Pine Wash (Maps 2). The stringers of ponderosa pine follow washes that generally drain away from Elly Mountain (Map 3) and East Pass (Map 4).

A phased treatment approach would be used to improve the ecological condition of the ponderosa pine ecosystem. The phases would involve the use of manual and/or mechanical methods to remove excess ladder fuels and prescribed burning.

Phase 1 would involve the manual and/or mechanical removal of the ladder fuels,

primarily pinyon/juniper that occurs in close proximity to and growing underneath and among the ponderosa pine. Pinyon/juniper that occurs within 50 feet of the canopy edge and under the canopy of a ponderosa pine would be removed. The primary method for removal of the pinyon/juniper would occur through the use of manual (chainsaw) methods. However, where terrain and access allow, mechanical methods could also be used. A bull hog, feller buncher, or similar piece of equipment that masticates the ladder fuels are examples of the type of equipment that could be used.

Phase 2 would involve removal of the slash/biomass created during Phase 1. Slash/biomass disposal would depend on the type of method used to remove the pinyon/juniper. When a chainsaw is used the majority of the slash would be piled and later removed through prescribed burning. Some slash consisting of smaller branches would be left on site to degrade naturally. In areas accessible by vehicle, larger pieces of the pinyon/juniper would be salvaged and used for biomass (i.e. firewood). This firewood could be left for public use or moved off site and sold to the public through a bid process. Removal of slash/biomass created when equipment is used would depend on the type of equipment used. If a masticating type of equipment is used, the residue created would be reduced in size, generally less than six inches in depth of loosely arranged shavings, so that it does not pose a risk as ladder fuel to the ponderosa pine. This residue is only where the tree was masticated and not over the entire project area. Residual created from this type of operation would be left to degrade naturally. If equipment is used that cuts the trees whole, all or a portion of the fuels would be piled and disposed of through prescribed burning or usable portions would be hauled off site for biomass utilization while unusable portions (smaller branches, etc.) would be left to degrade naturally or burned later. Possible offsite biomass utilization could include firewood, chips, and/or mulch. If equipment is used to remove the fuel and biomass, temporary access would be needed along and within the ponderosa community to transport the biomass away from the site.

Removal of slash piles would be accomplished through the use of prescribed burning. Slash piles would be removed as soon as possible to reduce the likelihood of the piles becoming infested with insects. Burning would occur during periods of the year when favorable environmental conditions facilitate fire control and achievement of the project goals and objectives. This would likely occur when there is snow on the ground or after a precipitation event to prevent extreme soil heating.

Phase 3 would involve introduction of a low-intensity understory burn into the ecosystem. This would aid in restoring the ponderosa ecosystem function by reducing organic matter and woody debris, increasing soil moisture, increasing soil temperature (with accompanying rates of increased litter decomposition, soil nutrient cycling, and fine root growth), increasing productivity of understory herbs and shrubs, increasing basal diameter growth of overstory ponderosa, and preparing seedbeds (Howard, 2003). This burn would involve a low intensity backing fire ignited through the use of a drip torch or other hand held devices and would take place during periods of the year when favorable environmental conditions facilitate fire control and achievement of the project goals and objectives. The understory burn could occur at the same time as slash removal if burning

conditions are favorable.

Implementation of these phases could occur simultaneously throughout the ponderosa community. For example, if Phase 1 was completed on a portion of or an entire area and the conditions and prescriptions were acceptable Phases 2 and/or 3 may be started while Phases 1 is being completed or in progress on another portion of the ponderosa community. Treatments identified above could be implemented in future years as maintenance treatments to maintain original project objectives.

The project resource goals are:

1. Improve the ecological condition on approximately 800 – 1,000 acres of ponderosa pine habitat within the Clover Creek South Watershed.

The project resource objectives are:

1. Eliminate/reduce pinyon and juniper tree density in the ponderosa understory and within 50 feet of ponderosa pine stands.
2. Slashed piled for removal would be reduced by 90 percent.
3. Prepare the seedbed and reduce understory fuels on 80 percent of the ponderosa community through use of a low intensity prescribed fire.

The following Standard Operating Procedures are Common to all Projects

A prescribed fire burn plan would be prepared and a smoke permit would be acquired from the State of Nevada prior to burning.

All treatment actions would comply with the *Ely District Policy Management Actions for the Conservation of Migratory Birds* (Instruction Memorandum NV-040-2001-02).

A cultural survey of the treatment area would be conducted and appropriate site documentation would be completed prior to project implementation. National Register eligible cultural resources would be avoided or impacts would be mitigated as necessary before treatment commences.

No permanent new roads or trails would be created. Some off-road travel could occur to facilitate tree/vegetation removal operations. Off-road travel would be limited to that necessary to safely and practically achieve resource objectives.

The Ely District Noxious Weed Prevention Schedule and Policy would be adhered to during project treatments. Recommendations contained in the Weed Risk Assessment for the project would be followed.

Areas that were identified as potential locations for the two sensitive plant species would be surveyed prior to treatment and mitigation measures will be incorporated if necessary. Areas within the project area that exhibit similar habitat types for the sensitive plant species would be surveyed prior to treatment and mitigation measures would be

incorporated if plants are found during the survey.

## **CONSULTATION AND COORDINATION**

Letters describing the project objectives and intent to complete this project were mailed to individuals and groups who have expressed interest in participating in hazardous fuels reduction projects as well as state and federal wildlife agencies. A public notice was also placed in the Lincoln County Record concerning the project and was presented at the Tribal Coordination meeting on November 17, 2006. The project design and objectives were also sent to the science community (Eastern Nevada Landscape Coalition Science Committee) for review and comment.

During the scoping period, comments were received from three members of the public. Two inquiries requesting general information about the project and how it would be implemented were received. Comments received from the Western Watersheds Project were inquiring about current vegetation conditions, requests for more information, project costs, links to other actions, and the meaning of certain terms. All comments received have been incorporated as appropriate into the development of the proposed action.

On February 15, 2006, the preliminary categorical exclusion document for the proposed project was sent to adjacent landowners, groups and individuals who have expressed interest in projects of this nature. The Confederated Tribes of the Goshute Indian Reservation were the only group who responded during the review and comment period, which ended on March 10, 2006. The tribe stated they had no objections to the proposed action.

The specialists listed in Table 2 below were involved in reviewing the proposed action for impacts and the screening questions (listed below) for Categorical Exclusions.

**Table 2.** Specialist involved in reviewing the proposed action for exceptions to National Environmental Policy Act Categorical Exclusions

<b>NAME</b>	<b>RESOURCE ASSIGNED</b>
Ryan Pitts	Invasive, Non-Native Species and Noxious Weeds
Jared Bybee	Wild Horses & Burros
Kurt Braun	Archeology/Historic/Paleontological
Steve Leslie	Wilderness Values and VRM
Paul Podborny	Air Quality, Water Quality, Floodplains
Bill Smith	Riparian/Wetlands, Wildlife, Migratory Birds, Special Status Animal & Plants, ACEC
Matt Wilkin	Wastes, Hazardous and Solid
Elvis Wall	Native American Religious Concerns
Carolyn Sherve-Bybee	Environmental Coordinator, Environmental Justice

## REFERENCES

Howard, Janet L. 2003. *Pinus ponderosa* var. *scopulorum*. In: Fire Effects Information System, [Online]. U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station, Fire Sciences Laboratory (Producer). Available: <http://www.fs.fed.us/database/feis/>

## SCREENING FOR EXCEPTIONS TO CATEGORICAL EXCLUSIONS

The following exceptions apply to actions being considered as categorically excluded. Environmental documents must be prepared if any of these exceptions apply. Place an "X" in appropriate box. Would the proposed action:	Yes	No
1. Have significant adverse effects on public health or safety?		X
2. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks?		X
3. Have highly controversial environmental effects?		X
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		X
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?		X
6. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects?		X
7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places?		X
8. Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species?		X
9. Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?		X
10. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment?		X

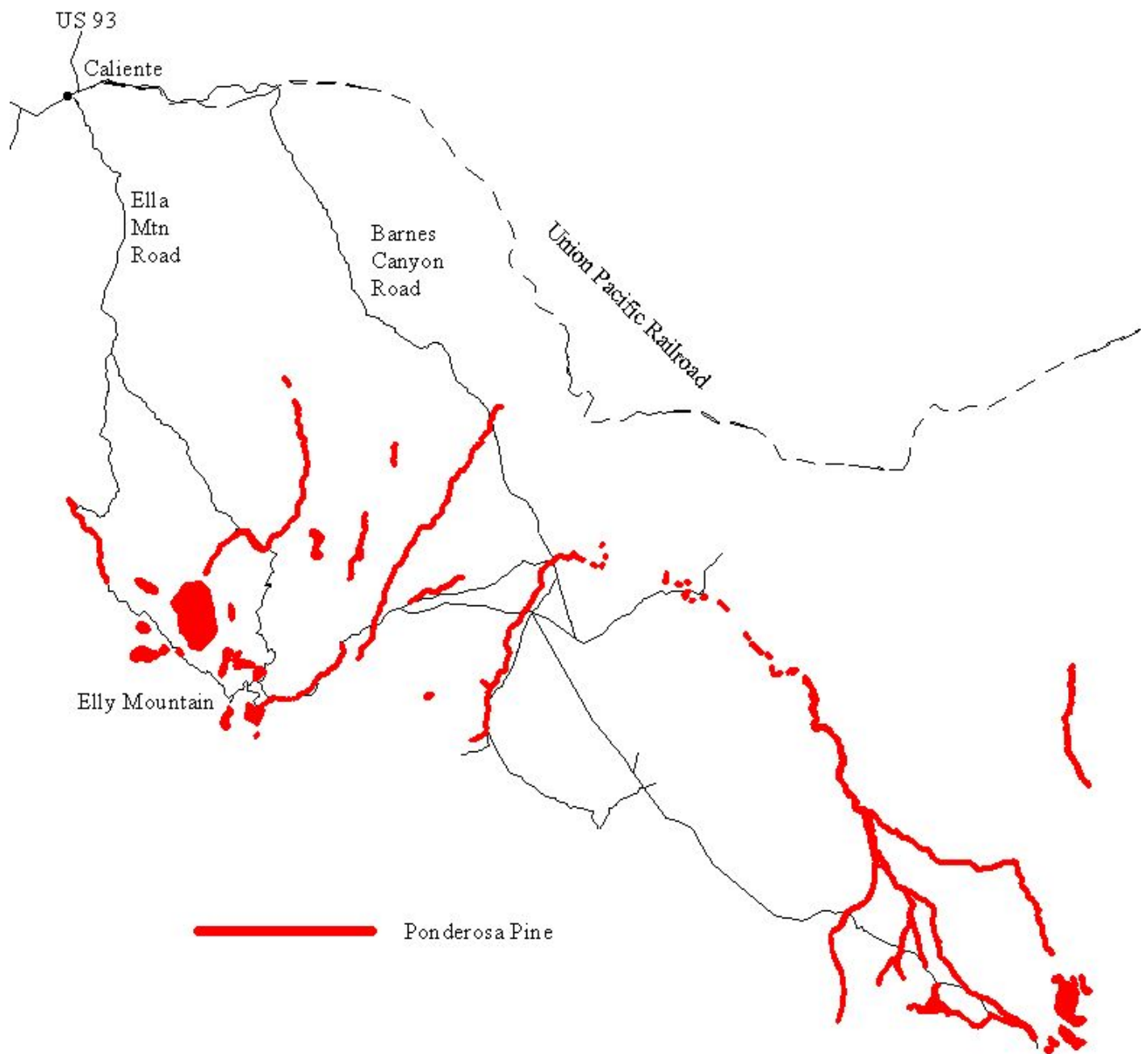
## FINDINGS

Based on review of the proposal and the ten exceptions listed above, this action qualifies as a categorical exclusion and an environmental analysis is not required. The proposed action is in conformance with current BLM Land Use Plans.

Approving Official: \_\_\_\_\_ Date: \_\_\_\_\_

Raymond W. Maestes  
Fire Management Officer

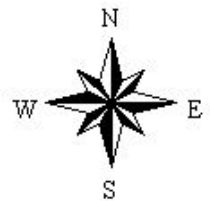
Map 1: General Location of the Clover Mountain Ponderosa Pine Restoration Project



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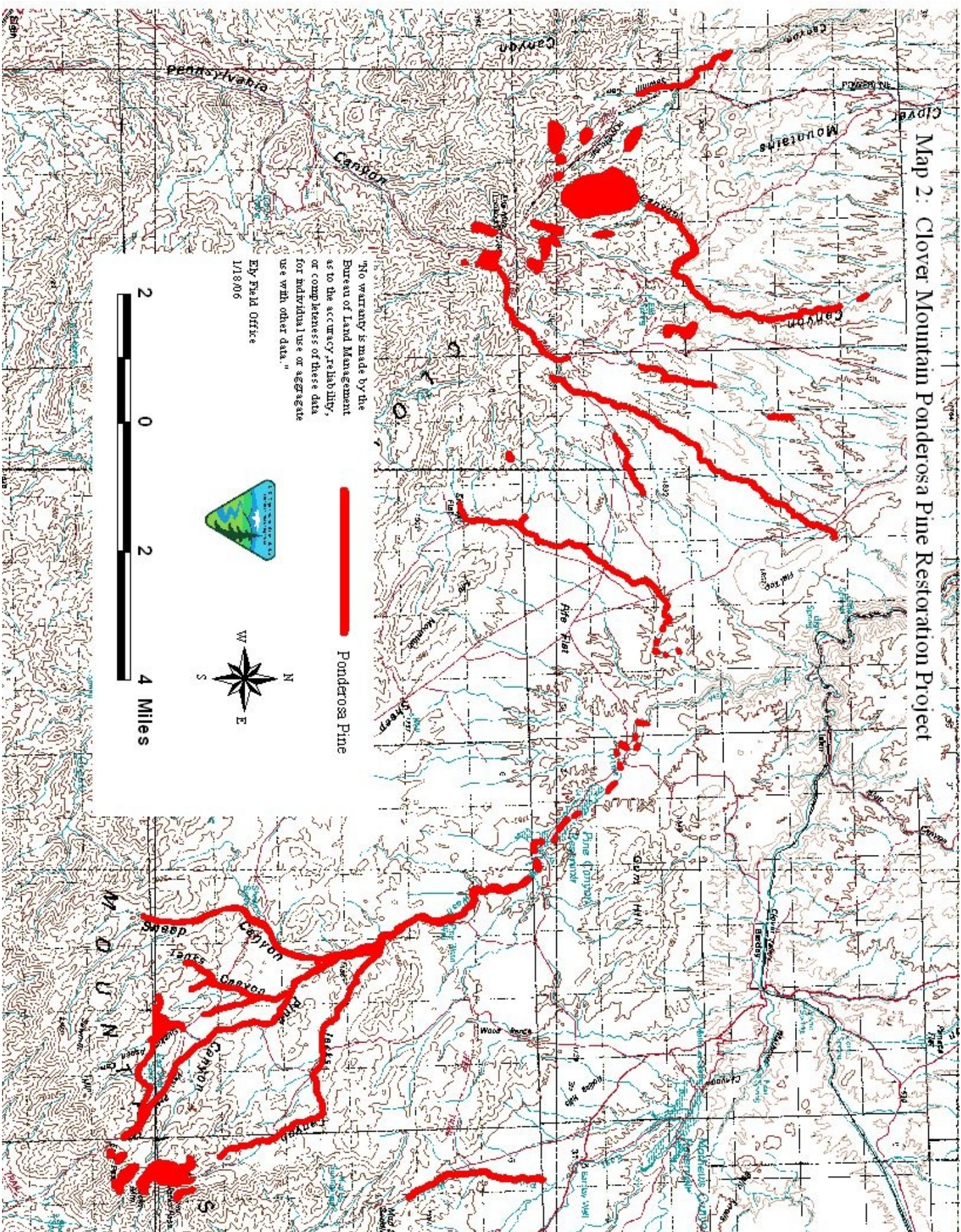
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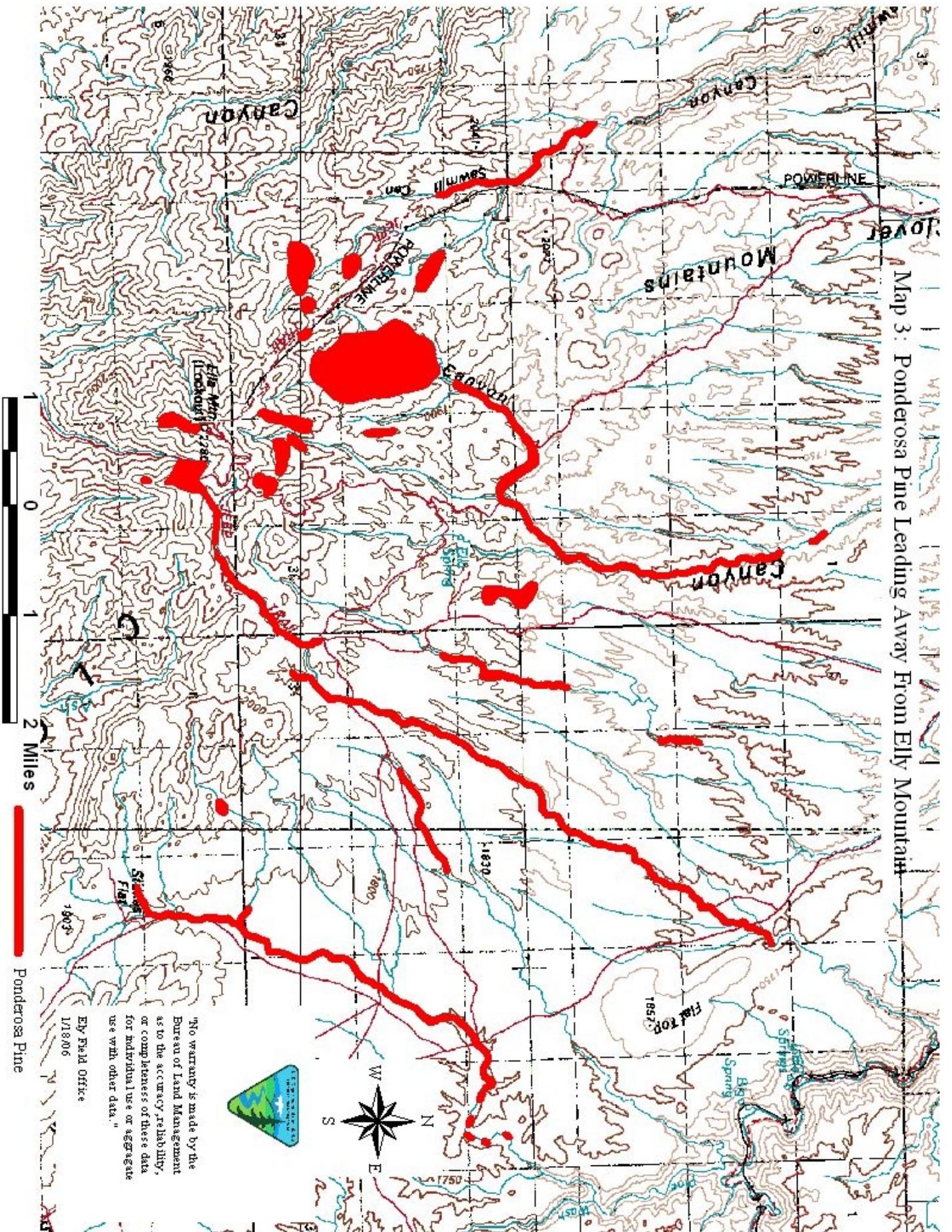


Map 2: Clover Mountain Ponderosa Pine Restoration Project



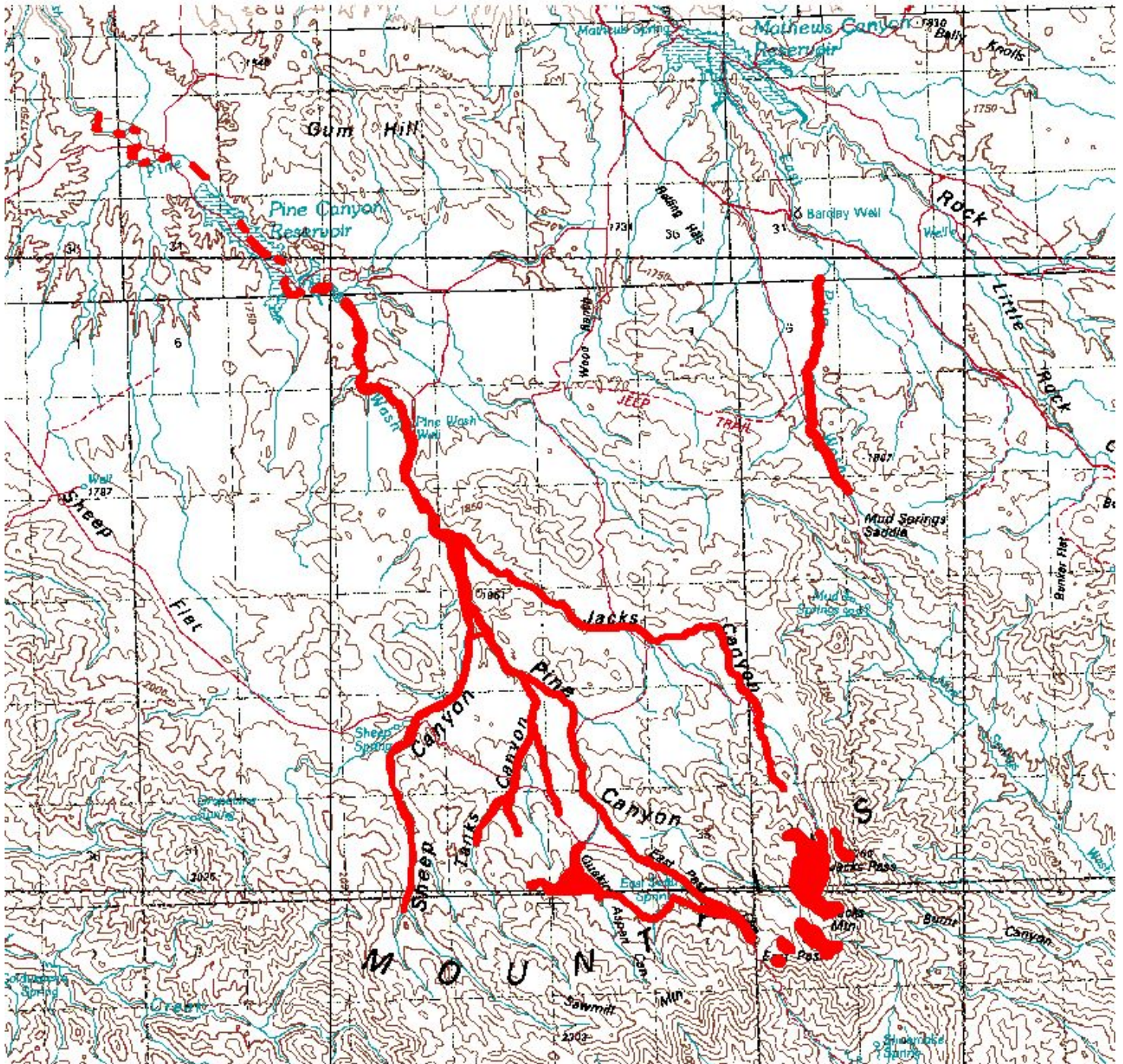


Map 3: Ponderosa Pine Leading Away From Ely Mountain





Map 4: Ponderosa Pine Leading Away From East Pass



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————— Ponderosa Pine

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Decision Memorandum on Action and for Application of:  
Categorical Exclusion 1.12

Clover Mountain Ponderosa Restoration Project

U.S. Department of the Interior  
Bureau of Land Management  
Ely Field Office  
Lincoln County, Nevada

**Purpose/Need for the Action and Proposed Action**

The purpose is to improve the ecological condition of 800 to 1,000 acres of ponderosa pine community within the Clover Mountains (Map 1) through the use of mechanical, manual and prescribed fire methods. The ponderosa pine community occurs in small stands in a stringer type arrangement from Sawmill Canyon east to Pine Wash (Maps 2), following washes that generally drain away from Elly Mountain (Map 3) and East Pass (Map 4). The ponderosa pine community is in Fire Regime Group II and Fire Regime Condition Class 2. The purpose of this project is to remove the ladder fuels that have encroached into the ponderosa pine community as a result of no frequent low intensity fires. This will reduce the risk of wildfire ascending into the ponderosa canopies and removing the entire ponderosa stand. Implementation will also improve the ecological condition of these stands.

The proposed action will be completed in a phased treatment approach. The phases would involve the use of manual and/or mechanical methods to remove excess ladder fuels and prescribed burning.

Phase 1 would involve the manual and/or mechanical removal of the ladder fuels, primarily pinyon/juniper that occurs in close proximity to and growing underneath and among the ponderosa pine. Pinyon/juniper that occurs within 50 feet of the canopy edge and under the canopy of a ponderosa pine would be removed. The primary method for removal of the pinyon/juniper would occur through the use of manual (chainsaw) methods. However, where terrain and access allow, mechanical methods could also be used. A bull hog, feller buncher, or similar piece of equipment that masticates the ladder fuels are examples of the type of equipment that could be used.

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## **Plan Conformance**

The proposed projects are not specifically identified in the Caliente Management Framework Plan, but are consistent with the following objectives:

1. Forestry Objective 3 – To protect and manage all forest resources (rare or common) and to prevent their elimination from the ecosystem.
2. Forestry Recommendation 3.1 – Develop a fire protection plan that benefits Ponderosa Pine, Aspen, Bristlecone pine and white fir stands in the Caliente Planning Unit.
3. Recreation Objective 1 – Protect important botanic, zoologic, geologic, and paleontologic values to assure they are not lost, destroyed, or substantially altered.
4. Recreation Objective 6 - Provide for the maximum safety of the visitor, for the protection of personal property, and for the quality of the natural environment through development of a sound fire management and suppression program.

The proposed action was designed in conformance with all bureau standards and incorporates appropriate guidelines for specific required and desired conditions relevant to project activities (i.e., mechanical treatments and prescribed fire). The project is in conformance with the Healthy Forest Initiative.

## **Compliance with the National Environmental Policy Act**

The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516DM 2, Appendix 1, 1.12. The project is less than 1,000 acres for mechanical and 4,500 acres for prescribed burning. The ponderosa pine community is also within Fire Regime Group II and Condition Class 2. The application of this categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effect which may significantly affect the environment. None of the exceptions apply. As shown in the checklist of the categorical exclusion document, none of the exceptions as listed in 516 DM Chapter 2, Appendix 2 apply to this project.

I considered project size (less than 1,000 acres for mechanical and 4,500 acres for prescribed burning), arrangement of the project (spread out rather than in one large area), fire regime and condition class (Fire Regime Group II and Fire Regime Condition Class 2), proposed method of implementation, vegetation condition and setting during the design of the activities, standard operating procedures, and mitigation measures outlined in determining that there are no potential significant effects from implementation of this project.

## **Persons or Agencies Consulted**

Letters describing the project objectives and intent to complete this project were mailed to individuals and groups who have expressed interest in participating in hazardous fuels reduction projects as well as state and federal wildlife agencies. A public notice was also placed in the Lincoln County Record concerning the project and was presented at the Tribal Coordination meeting on November 17, 2006. The project design and objectives were also sent to the science community (Eastern Nevada Landscape Coalition Science Committee) for review and comment.

During the scoping period, comments were received from three members of the public. Two inquiries requesting general information about the project and how it would be implemented were received. Comments received from the Western Watersheds Project were inquiring about current vegetation conditions, requests for more information, project costs, links to other actions, and the meaning of certain terms. All comments received have been incorporated as appropriate into the development of the proposed action.

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## **Decision and Rationale for Action**

I have decided to implement the Clover Mountain Ponderosa Restoration Project without modifications. I have reviewed the plan conformance statement and have determined that the proposed action is in conformance with the approved Caliente Management Framework Plan and that no further environmental analysis is required.

## **Implementation Date**

This project will be implemented on or after April 25, 2006

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Gene Kolkman  
Field Manager,  
Ely Field Office  
Bureau of Land Management

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Date

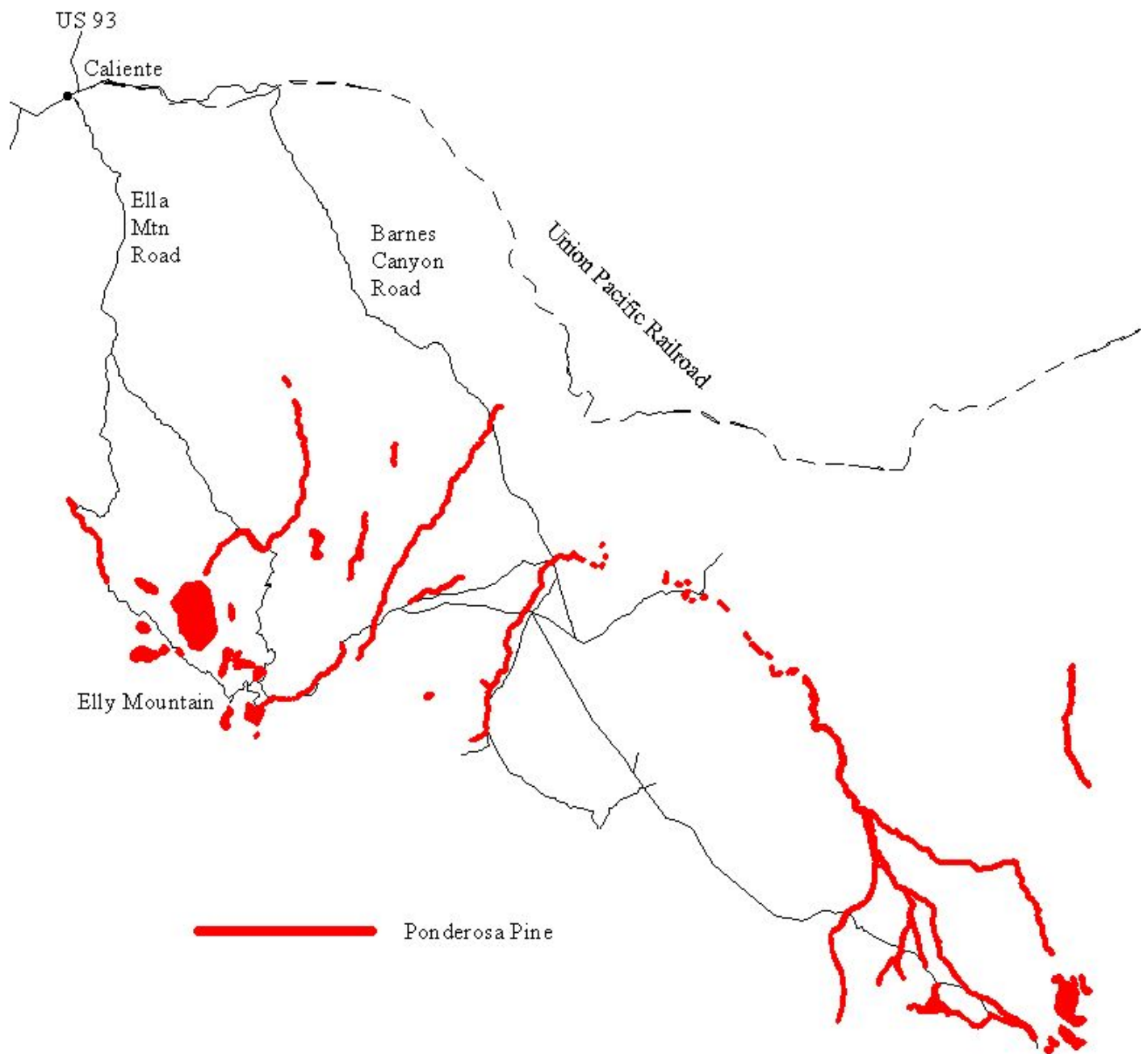
## **Administrative Review or Appeal Opportunities**

Within 30 days of receipt of this decision, parties who are adversely affected and believe it is incorrect have the right to appeal to the Department of the Interior Board of Land Appeals, Office of the Secretary, in accordance with regulations at 43 CFR 4.4. If an appeal is taken, follow procedures outlined in the attached form, “Information on taking appeals to the Board of Land Appeals.” An appeal should be in writing and specify the reasons, clearly and concisely, as to why the decision is in error. Please also supply this office with a copy of the Statement of Reasons. Also within 30 days of receipt of this decision, appellants have a right to file a petition for stay (suspension) of the decision together with an appeal, in accordance with the regulations at 43 CFR 4.21. The petition must be served upon the same parties identified in items 2, 3, and 4 of the form “Information on taking appeals to the Board of Land Appeals.” The appellant has the burden of proof to demonstrate that the stay should be granted.

## **Contact**

For additional information concerning this decision, contact Kyle Teel, Fire Ecologist, at the Caliente Field Station, P.O. Box 237, Caliente, NV 89008; Telephone (775) 726-8117.

Map 1: General Location of the Clover Mountain Ponderosa Pine Restoration Project



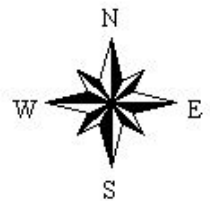
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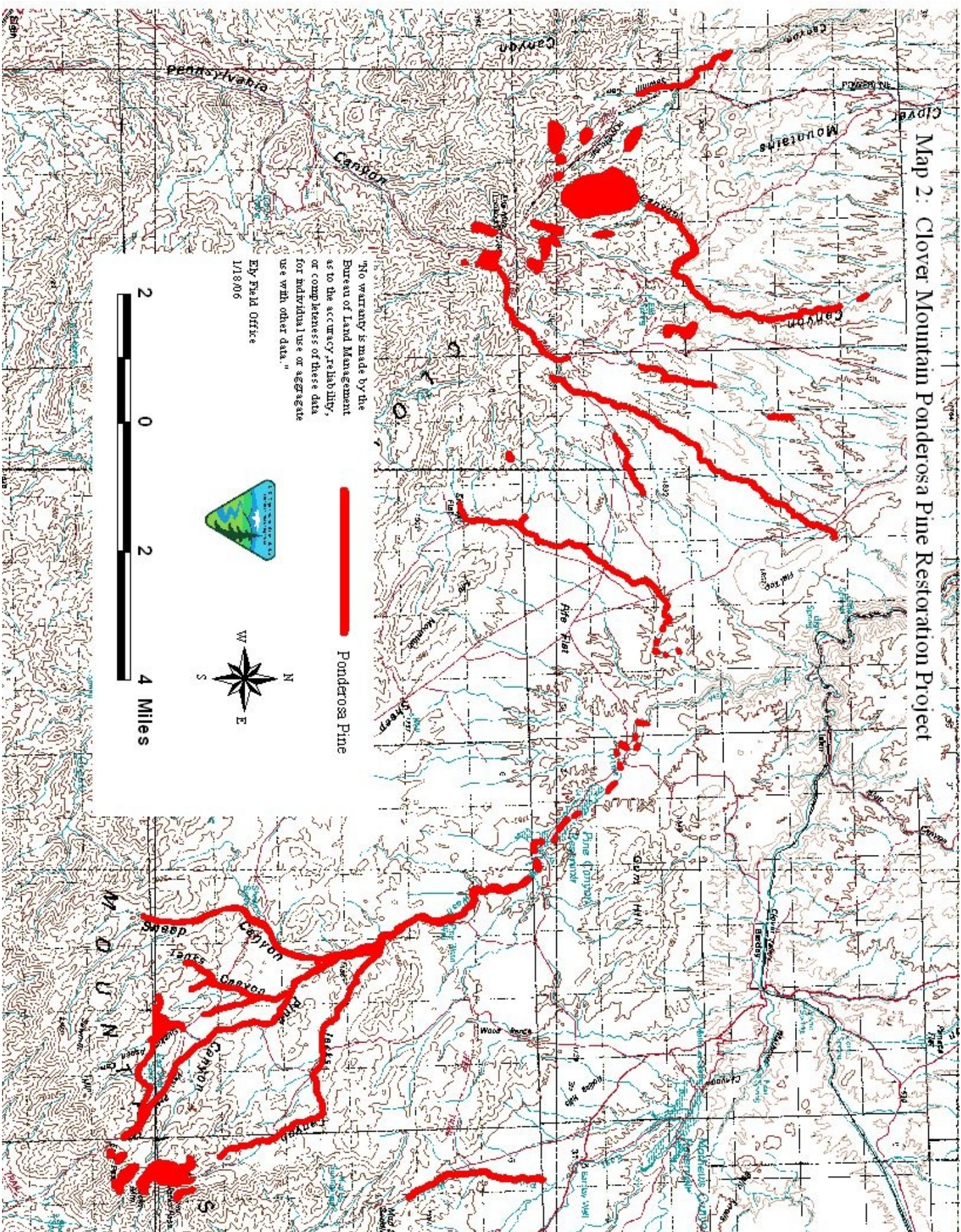
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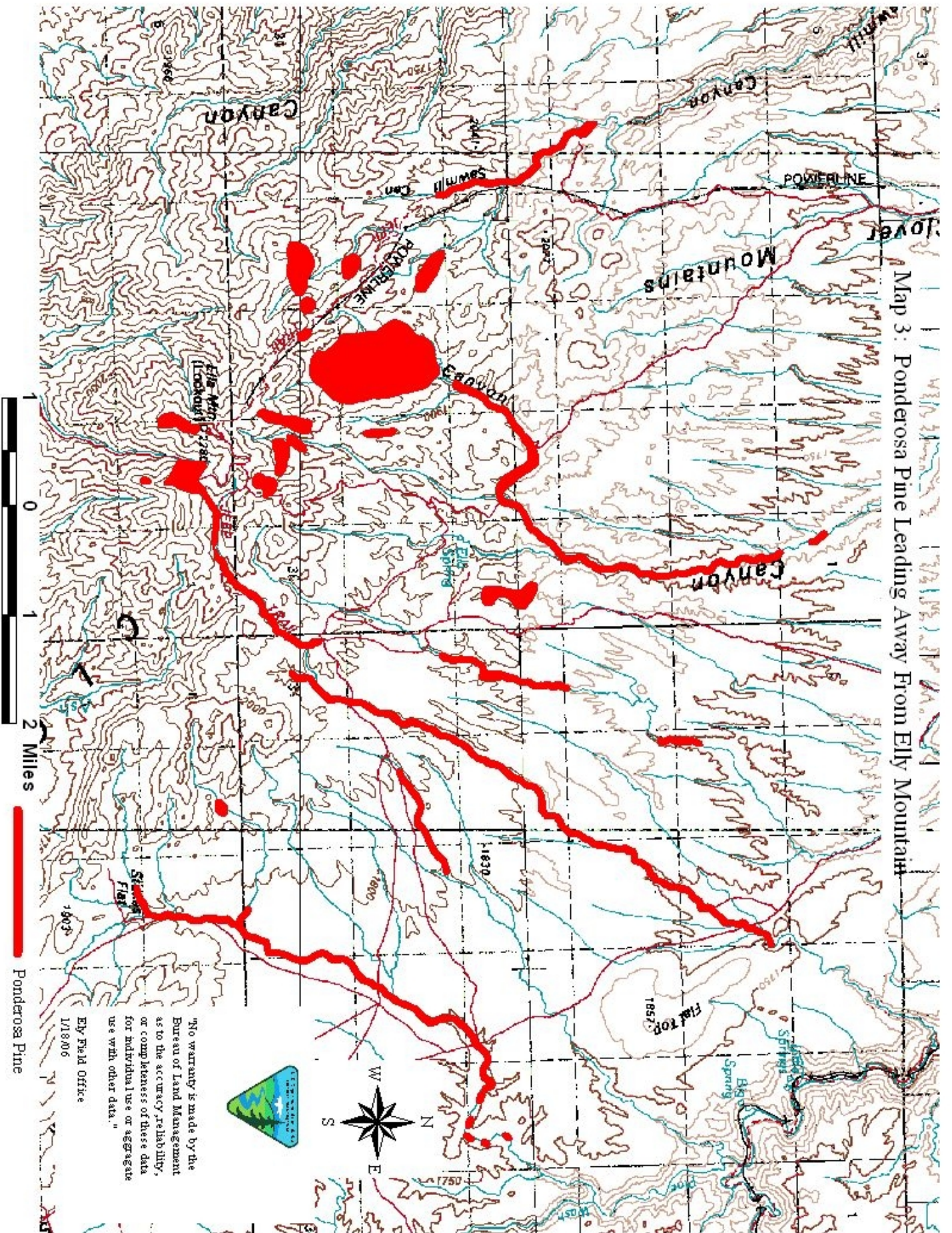


Map 2: Clover Mountain Ponderosa Pine Restoration Project



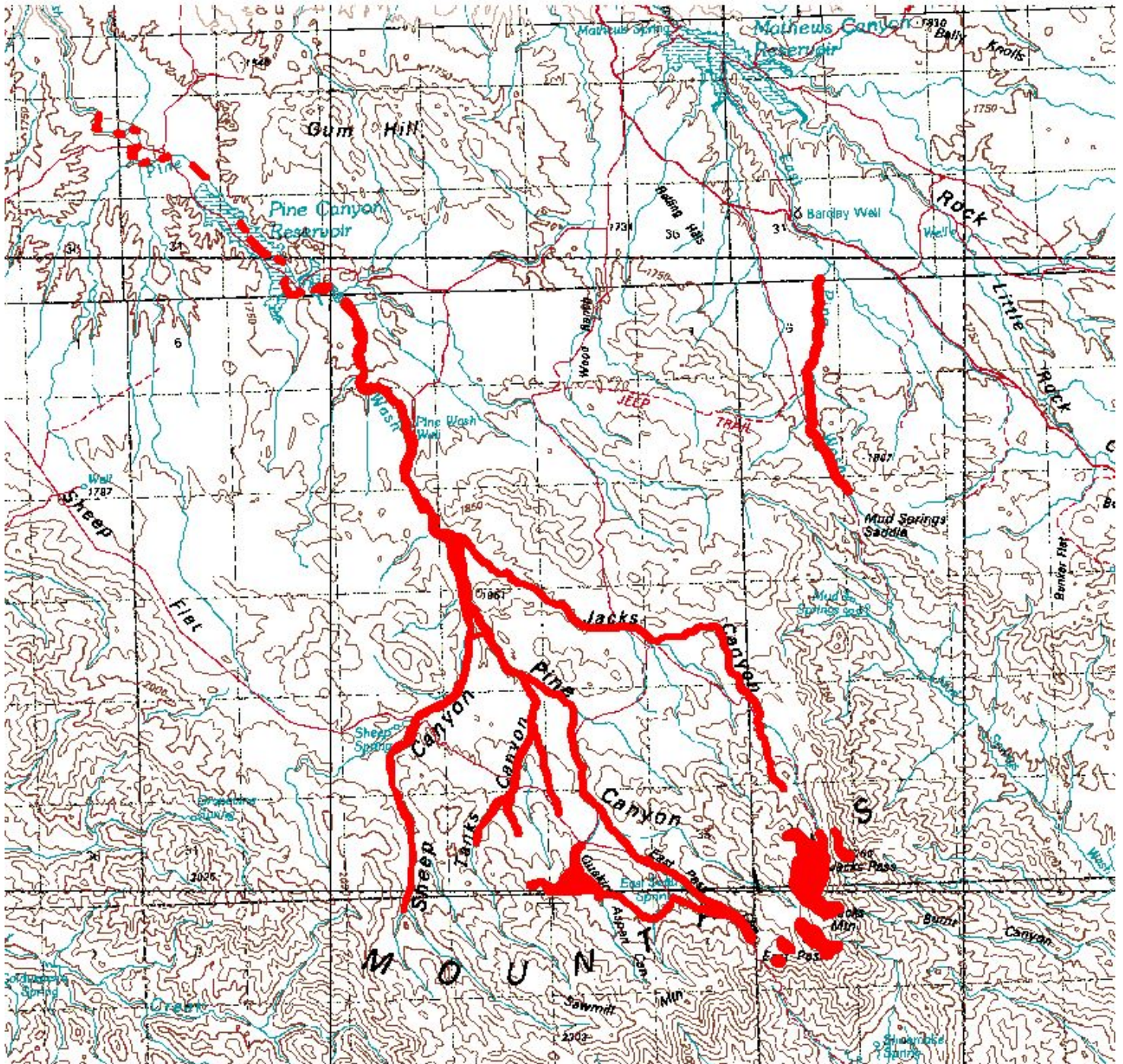


Map 3: Ponderosa Pine Leading Away From Ely Mountain





Map 4: Ponderosa Pine Leading Away From East Pass



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 Ponderosa Pine

1 0 1 2 Miles